

State of Alaska FY2003 Governor's Operating Budget

Department of Law Office of the Attorney General Component Budget Summary

Component: Office of the Attorney General

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Component Mission

The mission statement for the Attorney General is included at the department level.

Component Services Provided

The Attorney General is the principal executive officer of the Alaska Department of Law. In this role he is responsible for both the legal and the administrative aspects of the department's operations. This component supports the Attorney General and his immediate staff as he carries out his statutorily defined functions.

The Attorney General serves as legal advisor for the governor and other state officers. In addition, the Attorney General is responsible for representing the state in all civil actions to which it is a party; prosecuting all cases involving violation of state law; administering state legal services, including furnishing written legal opinions and giving advice on laws or proposed legislation; drafting legal instruments for the state; and bringing, prosecuting, and defending all necessary actions in the name of the state for the collection of revenue.

Component Goals and Strategies

Protect the interests of Alaska citizens and the resources of the state by ensuring that effective, high-quality legal services are provided to state agencies and officers.

Ensure that the civil and criminal laws of the state are followed.

Assist law enforcement agencies with criminal investigations by providing legal and tactical advice.

Reduce fraud in benefit programs.

Represent and defend the state in legal actions.

Implement the Executive Branch Ethics Act.

Manage the department's resources effectively and efficiently to provide support for the work of the department's employees.

Participate actively in interdepartmental efforts to improve government services to Alaskans.

Key Component Issues for FY2002 – 2003

Key Issues are included at the department level.

Major Component Accomplishments in 2001

CIVIL DIVISION

- Participated in interagency effort on the Balloon Project to reduce the backlog of children in foster care longer than new state and federal laws permit. As of September 15, 2001, 89 percent of the 662 children in foster care the longest were in a permanent placement and, in another 8 percent of the cases, the legal work to free these children for adoption is complete. The project now has five phases including more than 1,600 children, of which 72 percent now have permanent homes and another 14 percent are legally free for adoption.

- Continued work on litigation involving oil and gas, bringing into the state treasury 80.5 million in back taxes and royalties owed by oil and gas companies. Also successfully defended at hearing the Department of Revenue's property tax assessment of the Trans Alaska Pipeline of approximately \$3 billion.
- Successfully resolved a number of significant consumer protection cases: (1) Negotiated settlements in three auto dealer cases involving multiple violations of Alaska's Unfair and Deceptive Trade Practices Act, the federal Truth in Lending Act, and the federal Magnuson-Moss Warranty Act. These settlements will involve payment of restitution to consumers and substantial civil penalties to the state in excess of \$35,000; (2) Obtained consent judgments in settlement of three multi-state consumer protection sweepstakes cases involving Publishers Clearing House, Time, Inc., and Readers Digest. The settlements will result in recovery of \$225,000 for the state and thousands of dollars for restitution to consumers including consumers in Alaska; (3) Obtained settlements in multi-state antitrust case involving Bausch & Lomb and Johnson & Johnson, manufacturers of contact lens. The settlements will result in recovery to the state of approximately \$20,000 to \$40,000 and in restitution to consumers who have purchased replacement contact lenses since January 1, 1988.
- Filed a major lawsuit in federal court challenging the Forest Service's Roadless Rule.
- Began hearings before the Special Master appointed by the United States Supreme Court in the state's original action in the Supreme Court to quiet title to all lands underlying marine waters in Southeast Alaska, including those within Glacier Bay National Park and the Tongass National Forest.
- Recovered almost \$2 million for state costs and penalties related to contaminated sites, obtained cleanup agreements with polluters with an estimated value of over \$500,000, and recovered approximately \$3,886,000 for EXXON VALDEZ oil spill related matters.
- Continued efforts to develop the law as it relates to Alaska Natives and the relationship between Alaska Natives and the state, in particular the law concerning recognition and the scope of tribal jurisdiction and authority following the Venetie decision which held that ANCSA lands are not Indian country.
- Continued discussions, as part of the State-Tribal Relations Team, with Alaska's federally recognized tribes to define the nature of a government-to-government relationship between the state and the tribes. One outcome of this project, an Administrative Order recognizing tribes, was issued in September 2000. Another, the Millennium Agreement, was signed by the state and tribes in April 2001. It establishes the framework within which the State and Alaska's federally recognized tribes will establish their government-to-government relationship.
- Successfully concluded a mediation with the Bank of America in which the bank agreed to pay the state and affected agencies and municipalities a total of \$35.6 million in compensation for mismanagement of public funds held in trust. This recovery will be shared by the state treasury and the affected public corporations and municipalities.
- Collected over \$3.9 million in FY 2001 in criminal fines, cost of appointed counsel, cost of imprisonment, and civil judgments owed the state. This was a record amount, surpassing the prior year's collections by more than \$1 million.

CRIMINAL DIVISION

- The Criminal Division successfully led the effort that gained the State an addition \$1.4 million in federal funds for the Alcohol Interdiction project. The intent of the proposal is to significantly reduce violent crime, accidental deaths and incidence of FAS and FAE by cutting off the easy availability of alcohol through aggressive investigation and prosecution of bootlegging offenses. Of the \$1.4 million, \$500,000 funds the prosecution effort and commences in FY 2002.
- The Criminal Division continues in the effort to assist victims and witnesses by better informing and preparing them to testify, especially in cases involving sex crimes and domestic violence, and by providing them with important safety plans and informing them of their rights. This project also involves training for attorneys and paralegals to assist them in their efforts to reduce the incidence of these types of crimes. At the grassroots level, the Volunteer Legal Advocacy program, trains volunteers in Alaskan communities and villages to coordinate with domestic violence prosecution efforts. Both aspects of this heightened effort are funded by federal funds RSA'd to the Criminal Division by the Department of Public Safety, Council on Domestic Violence and Sexual Assault.

- The Criminal Division's Medicaid Fraud unit collected more than \$2.5 million in Medicaid fines during FY 2001, an increase of approximately \$1.5 million over the FY 2000 level.

Statutory and Regulatory Authority

AS 44.23.020

Office of the Attorney General
Component Financial Summary

All dollars in thousands

	FY2001 Actuals	FY2002 Authorized	FY2003 Governor
Non-Formula Program:			
Component Expenditures:			
71000 Personal Services	249.8	252.4	259.0
72000 Travel	23.3	10.0	10.0
73000 Contractual	54.4	67.0	67.0
74000 Supplies	2.6	8.8	8.8
75000 Equipment	6.6	0.0	0.0
76000 Land/Buildings	0.0	0.0	0.0
77000 Grants, Claims	0.0	0.0	0.0
78000 Miscellaneous	0.0	0.0	0.0
Expenditure Totals	336.7	338.2	344.8
Funding Sources:			
1004 General Fund Receipts	334.4	338.2	344.8
1053 Investment Loss Trust Fund	1.7	0.0	0.0
1108 Statutory Designated Program Receipts	0.6	0.0	0.0
Funding Totals	336.7	338.2	344.8

Estimated Revenue Collections

Description	Master Revenue Account	FY2001 Actuals	FY2002 Authorized	FY2002 Cash Estimate	FY2003 Governor	FY2004 Forecast
<u>Unrestricted Revenues</u>						
None.		0.0	0.0	0.0	0.0	0.0
Unrestricted Total		0.0	0.0	0.0	0.0	0.0
<u>Restricted Revenues</u>						
Statutory Designated Program Receipts	51063	0.6	0.0	0.0	0.0	0.0
Investment Loss Trust Fund	51393	1.7	0.0	0.0	0.0	0.0
Restricted Total		2.3	0.0	0.0	0.0	0.0
Total Estimated Revenues		2.3	0.0	0.0	0.0	0.0

Office of the Attorney General
Proposed Changes in Levels of Service for FY2003

None.

Summary of Component Budget Changes
From FY2002 Authorized to FY2003 Governor

All dollars in thousands

	<u>General Funds</u>	<u>Federal Funds</u>	<u>Other Funds</u>	<u>Total Funds</u>
FY2002 Authorized	338.2	0.0	0.0	338.2
Adjustments which will continue current level of service:				
-Year 3 Labor Costs - Net Change from FY2002	6.6	0.0	0.0	6.6
FY2003 Governor	344.8	0.0	0.0	344.8

Office of the Attorney General

Personal Services Information

Authorized Positions			Personal Services Costs	
	<u>FY2002</u>	<u>FY2003</u>		
	<u>Authorized</u>	<u>Governor</u>		
Full-time	3	3	Annual Salaries	197,590
Part-time	0	0	COLA	6,730
Nonpermanent	0	0	Premium Pay	0
			Annual Benefits	54,675
			Less 0.00% Vacancy Factor	(0)
			Lump Sum Premium Pay	0
Totals	3	3	Total Personal Services	258,995

Position Classification Summary

Job Class Title	Anchorage	Fairbanks	Juneau	Others	Total
Commissioner	0	0	1	0	1
Exec Secretary II	0	0	1	0	1
Spec Asst To The Comm II	0	0	1	0	1
Totals	0	0	3	0	3